

### REMARKS

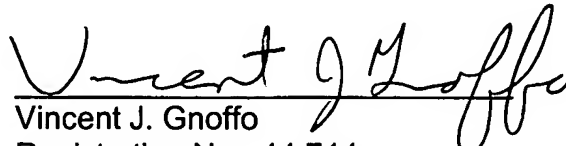
Claims 35-57 stand rejected under 35 U.S.C. 102(b) as being anticipated by Edwards et al. (U.S. Patent No. 5,819,029).

The claims as amended recite a processor that "creates a record of the session in the database, wherein the database maintains a recorded audio representation of at least a portion of the telecommunication call which documents that an individual has affirmatively accepted the terms and conditions." Also, "the terms and conditions are accepted separate from a service contract." As stated in the application as filed, under the tariff system, subscribers can order regulated telecommunication services without having to sign a service contract. It may be desirable, however, to accurately convey terms and conditions to a subscriber without requiring the subscriber to sign a service contract.

Conversely, Edwards et al. relates to a third party verification system of a service contract. A customer database manager contacts the customer and, responsive to the customer's authorization to switch a long distance carrier, creates a text file of the customer's responses to a series of questions supporting the authorization. Edwards et al. does not disclose or suggest information about any terms and conditions of a contract. Nor does Edwards et al. disclose or suggest an affirmation of accepted terms and conditions, wherein the terms and conditions are accepted separate from the service contract. For at least these reasons, Applicants respectfully request that the rejection be withdrawn.

In view of the foregoing remarks and amendments, Applicants submit that the claims are in condition for allowance. Reconsideration is therefore respectfully requested. If there are any questions concerning this response, the Examiner is asked to phone the undersigned attorney at (312)-321-4200.

Respectfully submitted,

  
Vincent J. Gnoffo  
Registration No. 44,714  
Attorney for Applicant

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200